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Letter dated 28 April 1999 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

I have the honour to attach the editorial entitled "Powerful accusation in Prosecutor's closing arguments" published by the newspaper *Granma*, official organ of the Government of the Republic of Cuba, concerning the terrorist activities carried out against our country (see annex).

I should be grateful if you would have this letter and its annex distributed as a document of the General Assembly under agenda item 155.

(*Signed*) Bruno **Rodriguez Parrilla**
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Annex

Editorial from the newspaper *Granma*, official organ of the Government of the Republic of Cuba

Powerful accusation in Prosecutor's closing arguments

After analysing the reports, documents, testimonies and other evidence that irrefutably proved defendant Raúl Ernesto Cruz León guilty in the trial for terrorism brought in Case No. 1 of 1999, Prosecutor Rafael Pino Becker, in his closing arguments, presented a powerful accusation which we reproduce below:

Having listened to the three witnesses' declarations and the thorough, irrefutable report and the documentary evidence submitted by Colonel Rabeiro, there cannot be the slightest doubt that Posada Carriles, acting through Chávez Abarca, ordered the terrorist attacks which Raúl Ernesto Cruz León carried out in Havana.

But, if the above were not enough, there is one piece of evidence which no one could question: Posada Carriles' own confession.

In his statements made freely and spontaneously to CBS on 2 August, even though he knew that Cruz León had been arrested and was under investigation, Posada Carriles, giving him up for lost, engaged in the following dialogue:

"***Journalist:*** According to *The New York Times*, you have said that the Salvadoran arrested in Cuba, Raúl Cruz León, was working for you. Is that right?

"***Posada:*** Cruz León was hired by somebody who worked for me. I never had any contact with him and he did his job for money.

"***Journalist:*** Don't you think with these declarations you are signing his death sentence?

"***Posada:*** His death sentence is already signed. It does not depend on what I say."

So, who is Posada Carriles and who is behind him?

I am not going to describe him in my words, which might arouse suspicions of bias and prejudice. I am going to use various documents and materials that do not run that risk.

The well-known United States newspaper *The New York Times*, in its 12 and 13 July 1998 issues, published three articles on this person's actions, escapades and relationships, from which I have selected several very significant paragraphs:

"Mr. Posada was trained in demolition and guerrilla warfare by the Central Intelligence Agency in the 1960s.

"Mr. Posada said the hotel bombings and other operations had been supported by leaders of the Cuban-American National Foundation. Its founder and head, Jorge Mas Canosa, who died last year, was embraced at the White House by Presidents Reagan, Bush and Clinton.

"Mr. Posada said leaders of the CANF discreetly financed his operations. Mr. Mas personally supervised the flow of money and logistical support, he said.

"A powerful force in both Florida and national elections, and a prodigious campaign donor, Mr. Mas played a decisive role in persuading Mr. Clinton to change his mind and follow a course of sanctions and isolation against Mr. Castro's Cuba.

"'Jorge controlled everything,' Mr. Posada said. 'Whenever I needed money, I said give me $5,000, give me $10,000, give me $15,000, and they sent it to me.'

"Over the years, Mr. Posada estimated, Mr. Mas sent him more than $200,000 [...] the money arrived with the message, 'This is for the church.'

"It was Cuban exiles like Mr. Posada who were recruited by the CIA for the subsequent attempts on Mr. Castro's life. Jailed for one of the most infamous anti-Cuban attacks, the 1976 bombing of a civilian Cubana airliner, he eventually escaped from a Venezuelan prison to join the centerpiece of the Reagan White House's anti-Communist crusade in the Western Hemisphere: Lt. Col. Oliver North's clandestine effort to supply arms to Nicaraguan contras.

"Some of what he said about his past can be verified through recently declassified government documents, as well as interviews with former CANF members and American officials.

"American law enforcement authorities maintained an attitude of benign neglect toward him for most of his career, allowing him to remain free and active.

"The exiles' foundation, created in 1981, has sought to portray itself as the responsible voice of the Cuban exile community, dedicated to weakening the Castro regime through politics rather than force. Thanks to that approach and millions in campaign donations, the Foundation became one of Washington's most effective lobbying organizations and a principal architect of American policy toward Cuba.

"Any evidence that the Foundation or its leaders were dispensing money to Republicans and Democrats while underwriting bombings could weaken the group's claim to legitimacy. That kind of activity could also violate the Logan Act, which makes illegal any conspiracy to kill, kidnap, maim or injure persons or damage property in a foreign country.

"Mr. Posada's remarks hinted that the Foundation's public advocacy of purely non violent opposition to Mr. Castro was a carefully crafted fiction. Asked if he functioned as the military wing to the foundation's political wing, much as the Irish Republican Army does to Sinn Fein, he replied, 'It looks like that,' and laughed.

"In the interviews and in his autobiography, Mr. Posada said he had received financial support from Mr. Mas and Feliciano Foyo, treasurer of the group, as well as Alberto Hernández, who succeeded Mr. Mas as chairman.

"When the bombs began exploding last year at Cuban hotels, the Government there asserted that the attacks had been organized and paid for by exiles operating out of Miami, a claim it bolstered with the videotape of an operative confessing to carrying out some of the bombings.

"However, he [Posada] told *The New York Times* that American authorities had made no effort to question him about the case. He attributed that lack of action in part to his long-standing relationship with American law enforcement and intelligence agencies.

"'As you can see,' he said, 'the FBI and the CIA don't bother me, and I am neutral with them. Whenever I can help them, I do.'

"Initially he spoke of enduring ties with United States intelligence agencies and of close friendship with at least two current FBI officials, including an important official in the Washington office.

"G. Robert Blakey, chief counsel to the 1978 House Select Committee on Assassinations, said he had reviewed many of the FBI's classified files about anti-Castro Cubans from 1978 and had noted many instances in which the Bureau turned a blind eye to possible violations of the law.

"As he put it, 'When I read some of those things, and I'm an old Federal prosecutor, I thought, why isn't someone being indicted for this?'

"Mr. Posada proudly admitted authorship of the hotel bomb attacks last year. He described them as acts of war. The bombs were also intended, Mr. Posada said, to sow doubts abroad about the stability of the regime, to make Cuba think he had operatives in the military and to encourage internal opposition.

"Mr. Posada described the Italian tourist's death as a freak accident, but he declared that he had a clear conscience, saying 'I sleep like a baby.' 'It's sad that someone is dead, but we can't stop,' he added. 'That Italian was sitting in the wrong place at the wrong time.

"'The hotel bombings were organized from El Salvador and Guatemala', Mr. Posada said.

"Mr. Posada said Mr. Mas was also very much aware that he was behind the hotel bombing campaign last year. But the two men had a long-standing agreement, he said, never to discuss the details of any operations that Mr. Posada was involved in.

"Asked when he had last visited the United States, he answered with a laugh and a question of his own: 'Officially or unofficially?' A State Department official said Mr. Posada was reported to have visited Miami in the summer of 1996.

"Mr. Posada acknowledged that he has at least four passports, all in different names. He regards himself as a Venezuelan citizen, but he has a Salvadoran passport bearing the name Ramón Medina Rodríguez, the nom de guerre he assumed during the Iran-Contra affair.

"He also reluctantly admitted to having an American passport. But he would not discuss how he had obtained it or disclose the name in it."

I will continue with these increasingly interesting excerpts from *The New York Times*:

"Guatemala: During the summer of 1997, bomb explosions ripped through some of Havana's most fashionable hotels, restaurants and discotheques, killing a foreign tourist and sowing confusion and nervousness throughout Cuba. It was something shocking and inexplicable.

"At his office here in the mountains of Central America, a Cuban-American businessman named Antonio Jorge (Tony) Alvarez was certain he knew the answer. For nearly a year, he had watched with growing concern as two of his partners working with a mysterious gray-haired man who had a Cuban accent and multiple passports acquired explosives and detonators, congratulating each other on a job well done every time a bomb went off in Cuba.

"What is more, Mr. Alvarez overheard the men talk of assassinating Fidel Castro at a conference of Latin American heads of state to be held in Margarita Island, Venezuela. Alarmed, he went to Guatemalan security officials. When they did not respond, he wrote a letter that eventually found its way into the hands of Venezuelan intelligence agents and officers of the United States Federal Bureau of Investigation.

"Venezuelan authorities reacted energetically to the information, searching for explosives on the island where the meeting was to be held. But in the United States the letter elicited what Mr. Alvarez described as a surprisingly indifferent response. Had the FBI met with Mr. Alvarez, agents would have heard a remarkable tale about the anti-Castro underworld. They would also have heard about the possible links between the plotters in Guatemala and Cuban exiles living in Union City, N.J., who Mr. Alvarez said were wiring money to the plotters. That allegation raises questions about whether American laws were broken in the Cuban hotel bombings, in which an Italian tourist was killed and three people were wounded.

"But Mr. Alvarez says that the FBI showed a studious lack of curiosity about the bombings. And Mr. Posada, who acknowledged in an interview that he had directed the operation, said he had no indication that the FBI was investigating him.

"Mr. Posada expressed confidence that the FBI was not examining his operations in Guatemala, because 'the first person they would want to talk to is me, and nobody called.' In addition, he said, no one from the Bureau has tried to interview his collaborators. 'I would know,' he said.

"Mr. Alvarez, in contrast, has been embittered by his experiences as a whistle-blower and believes that Mr. Posada has long provided information to American authorities. 'I think they are all in cahoots, Posada and the FBI,' he said. 'I risked my life and my business, and they did nothing.'

"At the office one day early last year, Mr. Alvarez recalled, Mr. Posada came by and handed out 'a thick wad of hundred-dollar bills' to his partners. They, in turn, 'were going to an electronics store and buying detonators and small calculators with timers' of the type that could be used with bombs, he said. 'That was suspicious enough', Mr. Alvarez said. But his biggest surprise came when he found explosives in an office closet. 'In a plastic bag,' he recalled, 'they had 23 tubes of stuff made by the Mexican military industry, supposed to be the latest in explosive materials in the world.'

"Then in August, at the height of the bombing campaign in Cuba, Tony Alvarez said, he intercepted a fax that Mr. Posada had sent from El Salvador and signed Solo. 'If there is no publicity, the job is useless', the message read. 'The American newspapers publish nothing that has not been confirmed. I need all the data from the discotheque in order to try to confirm it. If there is no publicity, there is no payment.'

"Mr. Alvarez said the fax so alarmed him that he wrote a letter about 'this horrendous matter' and gave it to Guatemalan intelligence. Mr. Alvarez also recalls overhearing plans for an attack on Mr. Castro when he was scheduled to visit Guatemala in December 1996 and again at the meeting in Margarita Island in November 1997.

"But before his arrival, more than 250 Venezuelan and Cuban agents combed the luxury Isla Bonita Hotel, where the gathering was to be held, and the government expelled the Cuban exiles who had flocked to the island ahead of Mr. Castro.

"There was, however, a curious arrest shortly before the summit meeting: four men in a boat were arrested by the American Coast Guard off Puerto Rico. Almost immediately, the leader of the group, Angel Alfonso Alemán, of Union City, blurted out that he was on a mission to kill Mr. Castro, according to court testimony by federal officers.

"American law enforcement officials quickly determined that the boat was registered to a member of the executive board of the Cuban-American National Foundation. In addition, one of the guns aboard was traced back to the group's president, according to court documents. The trail also led to Union City."

Although I am very aware of the time which the reading of these paragraphs is taking, I would like to continue quoting from them, since they contain essential elements for answering the question I asked myself: who is Posada Carriles and who is behind him?

"Two years after the Bay of Pigs invasion ended in ignominious failure on the beaches of Cuba, two young Cuban exiles, Jorge Mas Canosa and Luis Posada Carriles, stood next to each other in the spring sun at Fort Benning, Ga., training for the next march on Havana. It was 1963, a time of feverish American plotting against Fidel Castro's rule. The two men were among the exiles who had survived the bungled operation to overthrow the Cuban leader and had enlisted in the U.S. Army, confident that President Kennedy would soon mount another attack that would banish communism from the hemisphere.

"'The CIA taught us everything — everything,' Posada said. 'They taught us explosives, how to kill, bomb, trained us in acts of sabotage.'

"Both men left the Army after it became clear that the United States had no intention of invading Cuba again. They settled in Miami, the epicenter of anti-Castro activity. While Mas was making his mark in business, Posada was building close ties to the CIA, which was using Miami as a base of operations against Castro.

"It was a dizzying time of conspiracies and plots, some harebrained, some deadly serious. The agency's station in Miami was among its largest, and its officers industriously enticed anti-Castro Cubans to sign on with 'the company'.

"Miami's organized-crime figures, who had taken in bountiful profits under the Batista government, were eager to bankroll the Cuban opposition, or use the Cubans for their own ends. In the interviews, Posada spoke only obliquely about this period and provided even fewer details in his 1994 autobiography.

"Now, newly declassified documents furnished for *The New York Times* by the National Security Archive, a nonprofit research group in Washington, make clear why: for much of that time, the CIA was directing Posada's activities, involving itself even in such minutiae as whether he should buy a boat. The documents are part of voluminous files amassed by the 1978 House Select Committee on Assassinations as part of its investigation into the killing of President Kennedy. Investigators examining whether anti-Castro Cubans had any links to the 1963 assassination were permitted to read and summarize a trove of government cablegrams and documents, all of which remain classified.

"According to those summaries, Posada provided the agency and the FBI with a steady stream of valuable information about Cuban exile activity in Miami. It was the CIA that directed Posada to 'establish a training camp for guerrilla ops against Castro.'

"Interviewed in the late 1970s by investigators from the House assassinations panel, Posada said he had been trained as a CIA operative in the Florida Keys and had quickly become a 'principal agent.' He said his anti-Castro group had 'worked with the company direct' and had had arms, boats and a network of safe houses.

"At the same time Posada was deepening his relationship with Mas, who is described in one of the CIA documents as a 'close friend' of his. The two were active

in the exile group RECE, or Cuban Representation in Exile, and later in a larger umbrella alliance called CORU, or Coordinator of United Revolutionary Organizations, both of which undertook violent actions aimed at toppling the Castro government.

"One document quotes Posada as saying that 'Jorge Mas Canosa of RECE had paid an assassin $5000 to cover expenses of a demolition operation in Mexico' and that Posada himself was 'planning to place limpet mines on a Cuban-Soviet vessel in the harbor of Veracruz, and had 100 pounds of C-4 explosives and detonators.'

"Mas, other documents reported, had in his possession 125 pounds of Pentol to be placed as cargo on the vessels and had proposed to demolition experts that he travel to Spain and Mexico at the expense of RECE and place bombs in communist installations in those countries.

"By July 24, according to the cables, Posada working directly with Mas Canosa had completed two 10 pound bombs for RECE. At that point, the cablegrams cryptically report, Posada was instructed to disengage from activities.

"Posada's life took a new turn in 1967, when he abruptly left Miami and joined Venezuelan intelligence. This marked the beginning of his years as an operative for a succession of Latin American governments.

"He got his job as chief of operations for Venezuelan intelligence with the help of CIA recommendations and was immediately sent to wipe out the leftist guerrilla movements that Castro was supporting in Venezuela. 'I persecuted them very, very hard. Many, many people got killed.'

"Posada also arranged for an old friend from his CIA days, Orlando Bosch, to 'come to Venezuela to make a sabotage' against the Castro government. Bosch, who had earlier been convicted in the United States of a bomb attack on a Polish freighter bound for Cuba, had advocated the violent overthrow of Castro.

"Around that time, Posada's relationship with the American authorities was suddenly thrown into crisis by an intelligence report that 'Posada may be involved in smuggling cocaine from Colombia through Venezuela to Miami, and also in counterfeit U.S. money in Venezuela.

"According to the report, a copy of which is summarized in the House investigators' files, the CIA decided 'not to directly confront Posada with the allegation so as not to compromise ongoing investigation.'

"Posada was questioned, and 'found guilty only of having the wrong kind of friends,' the synopsis of another report read. 'Interrogators were convinced by his denial of drug trafficking', the report concluded.

"Even so, by February 1976, the agency's officers decided to break their ties with Posada in what the documents cryptically described as concerns about 'outstanding tax matters.'

"Over the next few months, Posada volunteered information to the agency. He warned that Bosch and another Cuban exile were plotting against the nephew of Chile's deposed leftist president.

"In June, Posada was calling the CIA again, concerning possible exile plans to blow up a Cubana airliner leaving Panama.

"Four months later, on Oct. 6, 1976, a Cubana jetliner with 73 people aboard was blown out of the sky shortly after it took off from the Caribbean Island of Barbados. The dead included teen-agers from Cuba's national fencing team.

"The following day, the CIA made what its records call 'unsuccessful attempts' to reach Posada.

"The bombing dramatically changed Posada's fortune. Investigators in Venezuela traced the bomb to the plane's luggage compartment and identified two Venezuelans who checked bags through to Havana but got off the plane in Barbados. The men had worked for Posada, who was arrested and charged with the bombing. Also arrested was Bosch, who had long collaborated with Posada.

"A retired CIA official familiar with the case said in a recent interview that 'Bosch and Posada were the primary suspects,' adding, 'There were no other suspects.'

"Posada acknowledged that he might still be in jail in Venezuela had not his friends, led by Mas, come to his rescue. In a sworn deposition taken in a civil lawsuit, Ricardo Mas, the estranged brother of Jorge Mas, recounted how he had travelled to Panama to obtain the cash used to pay for the escape.

"Ricardo Mas was comptroller of his brother's company, Church & Tower, from 1972 to 1985. He said that at his brother Jorge's instruction he deposited a check in one of the company's Panamanian accounts and returned with cash. 'He said that he needed me to go down and bring back $50,000, that it would be used to get Luis Posada Carriles out of jail, that Carriles wanted out, that he might start talking,' Ricardo Mas testified. 'The guy, I guess, was breaking down, they had to get him out of jail.'

"During a changing of the guard at midnight on Aug. 18, 1985, Posada, dressed in a black jacket with a collar turned up like a priest's, crossed the courtyard of the prison. He carried a Bible, to strengthen the impression that he was a priest, and a satchel containing a small survival kit of food and a lamp. After 15 days in Caracas, Venezuela, Posada said, he was taken to Aruba aboard a shrimp boat. From there, a private plane flew him to Costa Rica and then on to El Salvador.

"Posada was working for the American government again, this time for a covert operation that had ties to the CIA and the local military attaché, but which was run by the White House."

I felt it was necessary to read out these paragraphs from *The New York Times* because, even if they do not go to the source of the story or fill in important gaps to provide a coherent picture of events, they offer valuable elements for reconstructing Posada Carriles' life and work and his close, uninterrupted relationship with the CIA, the Cuban-American National Foundation and senior political authorities in the United States.

The examining judge referred to the copious information provided by Cuba's State security forces to a reporter from a major United States press organ.

At almost the same time, important analyses and opinions of senior officials of the Cuban Government concerning the ongoing terrorist acts were transmitted to an important, influential United States news organ.

The prosecution has managed to obtain a document containing the transmitted material, in which I have highlighted paragraphs and ideas that will contribute to a better understanding of Posada Carriles' real links with the Cuban-American National Foundation and with successive United States Administrations in recent years.

Concerning the articles in *The New York Times* and the alleged severing of ties between CIA officers and Posada Carriles in February 1976, the document containing the analyses and opinions of the Cuban Government reads as follows:

"Where and why is it recorded that their ties were severed in February? What a coincidence! The ties were severed but he continued to pass information to the CIA.

"According to *The New York Times*: 'Over the next few months, Posada volunteered information to the agency in the hope of obtaining American visas for himself and his family. He warned that Bosch and another Cuban exile were plotting against the nephew of Chile's deposed leftist president.

"'In June, Posada was calling the CIA again, concerning possible plans to blow up a Cubana airliner leaving Panama'.

"If this is true", the Cuban documents categorically states, "there is no doubt that the CIA knew months beforehand that the airliner would be blown up.

"Another coincidence: the CIA ties were severed in February 1976 and at almost the same time, in June 1976, a whole group of Miami-based organizations — the Foundation did not exist at the time — established in Costa Rica something called the *Comando de Organizaciones Revolucionarias Unidas* (CORU). This group of terrorist counterrevolutionary organizations was made up of the so-called *Frente de Liberación Nacional de Cuba*, *Acción Cubana*, *Movimiento Nacionalista Cubano*, *Brigada 2506* and *F-14*, most of whose members had for several years worked for, and been trained by, the CIA.

"We can thus establish a chronology:

"In February, the CIA severs, or allegedly severs, its ties with Posada.

"In June, Posada informs the CIA of possible exile plans to blow up a Cubana airliner leaving Panama (it was he who had the mission of blowing up the aircraft) and that same month a whole group of organizations establishes CORU in Costa Rica.

"In the United States, these organizations publicly claim credit for their crimes and announce new ones.

"In August 1976, a counterrevolutionary newspaper in Miami publishes a military communique which, after describing how they blew up a car in front of the Cuban Embassy in Colombia and destroyed the Air Panama offices, concludes: 'Very soon we will attack airplanes in flight'.

"So we have these strange coincidences: in June, CORU is established; in June, Posada informs the CIA of possible exile plans to blow up a Cubana airliner leaving Panama; and in August, a military communique is issued in Miami by these organizations, of which all those people, including Bosch, are members, saying 'Very soon we will attack airplanes in flight'.

"On 6 October, four months after Posada's report to the CIA and only two months after CORU's public threat, the airliner is blown out of the sky and no one does anything to prevent its sabotage in Barbados.

"Why do we suspect them? There is a whole string of events that cannot be put down to coincidence".

The document containing the views of the Cuban Government continues:

"February was the right moment to fake the severing of ties between the CIA and Posada. It was between February and June that all the work of organizing and

bringing together the organizations that would make up CORU was carried out. Who brought these organizations together? For the truth is, they had never been inclined to join forces on their own. As a rule, the tendency had been for them to splinter and break away.

"Five of the best known and most notorious organizations, established in the United States, came together in Costa Rica. All of them without exception had been set up by the CIA and had official ties to it.

"What else happened in 1976? As soon as the CIA allegedly broke with Posada, a wave of terrorist attacks was unleashed against Cuba:

- "6 April: pirate speedboats from Florida attack two fishing vessels, *Ferro-119* and *Ferro-123*, killing fisherman Bienvenido Mauriz and causing serious damage to the vessels;
- "22 April: a bomb set off at the Cuban Embassy in Portugal kills two comrades and seriously wounds several others, and completely destroys the premises;
- "5 July: the Cuban Mission to the United Nations is the target of an attack with explosives which causes considerable material damage;
- "9 July: a bomb explodes in a cart carrying luggage to a Cubana airlines plane in Jamaica airport moments before the luggage is transshipped. In other words, it is sheer luck that a Cubana plane does not blow up in flight on 9 July;
- "10 July: a bomb explodes in the British West Indies office in Barbados, which represents Cubana airlines in that country;
- "23 July: a technician from the National Fisheries Institute, Artagnán Díaz Díaz, is murdered when an attempt is made to kidnap the Cuban consul in Mérida;
- "9 August: two staff members of the Cuban Embassy in Argentina are kidnapped and have never been heard of since;
- "18 August: a bomb explodes in the Cubana airlines office in Panama, causing considerable damage;
- "6 October: the worst crime of all: a Cubana airliner is blown out of the sky with 73 people on board.

"What a succession of events! So, now that ties had allegedly been severed, the CIA had nothing to do with it, i.e. institutionally it did not take any responsibility. What a coincidence! These were no longer the activities of the CIA but of organized groups brought together by the CIA.

"There was simply a break of ties for form's sake. That is, the terrorist plans and attempts against leaders of our country ceased to be institutionally a part of CIA activities, they were handed over to these elements that took over responsibility for the things that were done.

"What happened after the crime in Barbados? Posada Carriles went to prison. There was such an uproar that it was not going to be easy to get him out of there. When he was arrested, Carlos Andrés Pérez was President of Venezuela, where the crime was planned, and Carlos Andrés Pérez felt committed to act and he did.

"That man could have been brought to Cuba to be tried or he could have been tried in Barbados, because such a crime is even punishable with the death penalty, or he could be tried in Venezuela. Carlos Andrés Pérez had a military court try the case. However, the man escaped some years later, on 18 August 1985.

"By that point, the Foundation had been established and CORU no longer existed. The Foundation was created in 1981 during the Reagan Administration, after the Santa Fe document.

"The Foundation raised the money. In his autobiography, Posada says that he mortgaged a house to pay for his escape, but the truth is known because *The New York Times* articles mention an affidavit by Ricardo Mas Canosa:

"'He said that at his brother Jorge's instruction he deposited a check in one of the company's Panamanian accounts and returned with cash. 'He said that he needed me to go down and bring back $50,000, that it would be used to get Luis Posada Carriles out of jail, that Carriles wanted out, that he might start talking. The guy, I guess, was breaking down, they had to get him out of jail.'

"The article states: 'In a sworn deposition taken in a civil lawsuit, Ricardo Mas, the estranged brother of Jorge Mas, recounted how he had traveled to Panama to obtain the cash used to pay for the escape.' So it is clear that the Foundation paid for this. None other than Ricardo Mas, brother of the Foundation's leader, has said so. This is important because of all that followed.

"In the famous book by the famous warrior who never goes to battle but pays people to fight his wars, the author tells how he reached the Ilopango base in El Salvador: 'Félix was there'. This must be Félix Rodríguez, an old agent and terrorist, an organizer of terrorist acts who is still organizing them. This Félix was the person who welcomed him. Félix was piloting a helicopter, according to him.

"He goes on to say that two days later, i.e., two days after arriving in Ilopango, 'I received the visit of Doctor Alberto Hernández'. The ties between Posada and the Foundation were never broken. All these people belonged to CORU, they all belonged to those organizations. They got him out of jail and, according to him, they were the first to go and see him two days after his arrival in Ilopango. He writes: 'Alberto Hernández, a prosperous physician and Cuban patriot, resident of Miami, has shown his courage and friendship to me several times' (Alberto Hernández is none other than the current President of the Executive Board and main leader of the Foundation).

"Posada goes on to say: 'A group of very qualified people from Miami, among them Jorge Mas Canosa, Feliciano Foyo — Foundation treasurer — Pepe Hernández and others, have created a pool to cover my economic needs.'

"He supposedly wrote this book in 1994. All the people mentioned are the Foundation's main leaders. These same people continue to sustain and support him: they raised $50,000 to get him out of jail and they have paid all his expenses. They were the first to visit him in Ilopango from Miami — he wrote this and has not denied it — and they are with the Foundation now and prepared and bankrolled the latest terrorist plans with Posada Carriles.

"He later writes: 'A few days after my arrival I had a pleasant surprise: Luis Orlando Rodríguez was in El Salvador, as the second in command of a group of US military advisors.' It was this same Orlando Rodríguez who later, in 1998, prepared with Posada Carriles the terrorist attack in the Dominican Republic. The connection between Posada Carriles and the Cuban-American National Foundation is irrefutable".

The analysis provided by the Cuban Government continues:

"What is it that strengthening our conviction that the ties between Posada and the CIA were never severed? It is the fact that this man with whom the CIA had broken was rescued by the Foundation, visited by the Foundation and immediately put to work

in one of the most secret, sensitive and compromising operations ever undertaken by the United States Government: the Iran-Contra affair. This was the most outrageous operation ever, in which Congressional regulations were violated and weapons were traded for hostages, weapons that ended up in the hands of the *contras* in Nicaragua, an operation in which Posada Carriles was in charge of storing and actually distributing the weapons. It has been proved, through what he says and what is known, that the operation was being conducted with CIA involvement.

"Worst of all, this operation was carried out with this man with whom the CIA had supposedly broken ties in February 1976. In 1985, after he had been in jail for nine years, they rescued him and, without giving him even a day to recover, put him to work, as we said, in one of the most sensitive United States operations, involving the CIA and even the White House, which through Lieutenant Colonel Oliver North was directly running the operation. As Posada tells it:

'In April a Lear Jet arrived from Washington with Oliver North, General Seacord and Dick Gadd. They brought pilots, co-pilots and a stewardess.

"'They came for a meeting with General Bustillo and with Bermúdez. Captain López and Félix Rodríguez also attended the meeting. Dick Gadd went with me to visit the warehouses and the houses where the crews were lodged.'

"All those inside El Salvador who were working in this operation were under Posada's control. How is it possible that they could have broken with a man, as described above, in February 1976, with all that was happening, and that immediately after he got out of prison, he was assigned to such a delicate mission? Only someone in whom there is the utmost confidence is treated this way.

"Everyone must have known him there. There is absolutely no possibility that the main United States officials in charge of the operation did not know him, including President Reagan.

"Posada Carriles himself says: 'Sophisticated KL-3 machines for coding and decoding telephone messages, supplied by Oliver North, allowed us to send safe messages to Washington and to Joe in Costa Rica. Colonel James Steel, head of the US military group in El Salvador, had one of them. Joe would give us the location of the ground troops and later notify us whether the supply mission had been successful.'

"It is impossible to believe the February 1976 story. It is impossible to ignore the fact that this man was rescued by the Foundation, visited by the Foundation and that all the men who were there, those that he mentions, are the ones leading that institution now.

"All these attacks and the Foundation's entire plan were basically directed against tourism, because tourism was developing rapidly and becoming an important source of revenues for the Cuban economy. From the moment they made the decision to undertake an intensive terrorist campaign against Cuba, that was the primary target.

"In general, what the Foundation was doing was to act through numerous groups.

"What they wanted was publicity and they were desperate because there was none. That is why Mr. Posada, in one of the messages sent to his associates, said that there would be no payment if there was no publicity. They wanted their misdeeds to get maximum publicity in order to sow panic.

"'I have two people that I sent there; it seems they have been captured but it has not been published. How strange!' says Posada Carriles. 'How strange!'

"We have a man who was captured with all the explosives. He was sent by Posada Carriles on June 10, three days after details of Posada's terrorist background were published in *El Nuevo Herald*. He had been praised in that article, so he was as proud as a peacock.

"It is absolutely impossible for these people to have done what they did without the CIA and the FBI knowing about it.

"The Cuban-American National Foundation plan was described perfectly by Posada for *The New York Times*. He revealed the essence of that plan when he said: 'We just wanted to make a big scandal so that the tourists don't come anymore. We don't want more foreign investment.'

"They had believed that the Revolution would collapse in a matter of days, weeks, months at most. However, by 1992, when they realized that it was not going to collapse, that the country was resisting, that the people were ready to confront great difficulties, they desperately wanted to strike at investments and at tourism, which was growing rapidly.

"The bombs were also intended, Mr. Posada said, to sow doubts abroad about the stability of the regime, to make Cuba think he had operatives in the military and to encourage internal opposition.

"When the wave of bombings took place and an uproar ensued in July and August 1997, in keeping with the terrorist plan organized and financed by the Foundation, and the facts were made public and published by all the press agencies, the Executive Board of the Cuban-American National Foundation, in what is further proof of its complicity, immediately issued a public statement, worded in ridiculously pretentious and cynical language of high politics and profound patriotism, which was disseminated widely and which claimed that the hotel bombings were acts of rebellion by the Cuban people and by members of the army and State security forces.

"That was the theory, but they could not continue to sustain it after the first case was uncovered because, in reality, and they know it better than anyone, not one of those bombs originated here, they all, without exception, came from over there.

"The statement read:

'The Cuban-American National Foundation, aware of its responsibility towards the Cuban people, unwaveringly supports all denunciations, clashes or internal acts of rebellion aimed at ousting Fidel Castro from power and thereby obtaining peace and well-being for our people.

'Regardless of who was directly responsible, the incidents of international rebellion seen in recent weeks in hotels on the island clearly bespeak the exasperation of a people that refuses to resign itself to the destiny of enslavement and destitution into which the Castro regime has plunged it'.

"In other words, after the terrorism, after the crime, the lie that fits in neatly with what Posada has said and has not denied".

The above was excerpted from the document sent to a major United States news organ. This document, whose essential elements I have highlighted, shows that the tightening of the blockade brought about by the Torricelli and Helms-Burton Acts and the ferocious

terrorist assault on tourism, both aimed at destroying Cuba's economy, are part and parcel of the same policy, with the same principles and the same aim.

Besides the enlightening analyses and views supplied by the Government of Cuba, with irrefutable arguments proving the continued relationship between Posada Carriles, the CIA and the Cuban-American National Foundation, there are other very revealing elements that deserve attention.

Hardly a week after Raúl Ernesto Cruz León was arrested in Havana, on Friday, 12 September 1997, the Miami newspaper *El Nuevo Herald*, not known for its friendship towards Cuba, published what was a very revealing article, considering the source, under the headline "Terrorist Attacks Linked to Girón Veterans" in which it was stated that Cruz León's arrest lent added weight to reports that had been circulating for some time that the bombs might be the work of a CIA and Bay of Pigs veteran, Luis Posada Carriles, nicknamed *Bambi*, who was said to be living in El Salvador.

The article went on:

> "Posada, who told a Miami television station in an interview last year that a string of bomb blasts in tourist facilities in Cuba would shrivel up Cuban President Fidel Castro's main source of hard currency, could not be reached for comment.
>
> "Friends have said he moved to El Salvador last year or early this year, after he was forced to leave neighbouring Honduras amid allegations he set off 41 bombs there in 1995 as part of a military backed campaign to scare President Carlos Roberto Reina into abandoning plans to trim back the military."

Later, on 16 November 1997, *El Nuevo Herald* went back to this issue and published an article under the headline "Exiles Financed Cuban Hotel Blasts" stating:

> "A spate of bombings in Cuba this summer was the work of a ring of Salvadoran car thieves and armed robbers directed and financed by Cuban exiles in El Salvador and Miami.
>
> "The ring's leader is Francisco Chávez, son of an arms dealer with close ties to Cuban exiles, a pistol-packing ruffian who apparently was in Havana just hours before the first bomb exploded at the luxury Meliá Cohiba Hotel.
>
> "And it was Luis Posada Carriles, a veteran of the Cuban exiles' secret war against President Fidel Castro and explosives expert now in his 60s, who was the key link between El Salvador and the South Florida exiles who raised $15,000 for the operation."

Seven months later, on 7 June 1998, *El Nueva Herald* printed new, detailed information on Luis Posada Carriles' plans:

> "Lead exile team of six that tried to kill Fidel Castro in Colombia four years ago.
>
> "Plotted to smuggle plastic explosives from Guatemala into Cuba last autumn, hidden in diapers, shampoo bottles and the shoes of some Guatemalans posing as tourists. Plotted bombing of Cuban freighter in Honduras in 1993 and the establishment of a secret base in Honduras the following year to be used by Cuban exiles for commando raids on the island.
>
> "The best known of the plots was the summer bombing spree by Salvadoran mercenaries hired by Posada to smuggle bombs into Cuba and detonate them in tourist centers such as hotels and restaurants, according to several people involved. But even as Cuban police were arresting one of the Salvadorans, Raúl Ernesto Cruz León, last September, Posada and two other conspirators in Guatemala were trying to smuggle

more explosives into Havana, according to two people with first-hand knowledge of the plot.

"One person with inside knowledge of the plot later wrote a detailed report of the conspiracy and sent it to Guatemala's version of the CIA, the Presidential Strategic Analysis Agency, saying he wanted to prevent 'some barbaric act'. *The Herald* obtained a copy of the report and spoke at length with its author who like most of the other sources interviewed demanded anonymity for fear of legal prosecution as well as retaliatory attacks.

"Officials of the Guatemalan agency declined to talk to *The Herald*, but a diplomat said the agency had investigated some of the report's allegations, found them 'credible' and alerted US officials. The FBI, which is known to have a copy of the report, declined to comment.

"Perhaps the biggest mystery surrounding Posada is how he makes a living and manages to finance his conspiracies. One version circulating in Central America is that he is protected by the CIA, a rumour fuelled by his role as coordinator in Col. Oliver North's Iran-Contra scheme to supply CIA-backed Nicaraguan rebels from El Salvador in the late 1980s."

This article also stated that *El Nuevo Herald* had had access to a fax sent by Posada Carriles to two of his accomplices in which he expressed concern that the Cuban Government was hushing up many of the bombings "to avoid creating panic in its booming tourism industry" and told his co-conspirators: "If there is no publicity, the job is useless. The American newspapers publish nothing that has not been confirmed".

It is really striking, and gives an idea of how this man thinks, that three days after this article was published, Posada sent another of his terrorist mercenaries, Otto René Rodríguez Llerena, to Havana to carry out further actions.

On 9 August 1998, under the headline "Plot to Kill Castro in Dominican Republic", *El Nueva Herald* published the following information:

"In the most recent conspiracy, Cuban exiles in the Dominican capital had begun gathering information about Castro's movements and stood ready to help house and transport a 'hit team' that was to arrive at the last minute, exile sources and law enforcement officials said.

"The hit was to have occurred between August 20 and 25, when the Cuban president was scheduled to attend a summit of Caribbean leaders in Santo Domingo.

"'The plan was to kill him any way we could, with explosives on the road, grenades in a meeting, shots on the street', said an exile involved in the plot.

"Posada portrayed the Dominican plot as the best shot yet at Castro, because local security was likely to be porous and he could easily smuggle in explosives and weapons from neighbouring Haiti, the exiles said.

"But Posada's plot was betrayed to US authorities. FBI agents last month searched a shipping complex owned by Enrique Bassas, identified by three exiles as one of the militants who met with Posada in Guatemala City to discuss the assassination plot.

"Law enforcement veterans saw the search as an FBI hint to Bassas to cancel any conspiracies. That is a common practice in South Florida, they said, known as 'admonishing' or 'demobilizing' an operation."

As can be seen, this is a typical method used when what they really want to do is warn conspirators that their activities have become known, in order to keep them out of trouble.

I am about to conclude my closing arguments, but in order to prove fully what I have been saying, I must once again draw on information that is already known to everyone, especially the following report which provides irrefutable evidence of the Foundation's terrorist nature and the simulation and deceit that characterize its procedures. In this case, the Foundation was caught red-handed in an action which it organized directly and which it has been unable to justify or explain, and which also puts the United States Administration in a very tight spot.

Under the headline "Plot against Castro Spotlights a Powerful Group of Exiles", *The New York Times* published the following article on 5 May 1998:

> "When the Coast Guard approached the cabin cruiser *La Esperanza* near Puerto Rico last October, the four Cuban exiles aboard said they were on a fishing trip.
>
> "But the only fishing gear on the boat was still in plastic wrappers and the men said they had sailed the 900 miles from Miami in a single day, a nautical improbability in their vessel.
>
> "Suspicions aroused, the Coast Guard escorted the boat to shore, searched it, and found a secret compartment beneath a throw rug on the deck.
>
> "Inside was an arsenal of weapons, including night-scopes and two high-powered sniper rifles.
>
> "'These weapons are mine'", Angel Alfonso Aleman was quoted as saying by a United States Customs investigator who searched the ship and later testified in court about the remark. 'The others know nothing about them. I placed them there myself. They are weapons for the purpose of assassinating Fidel Castro.'
>
> "The incident touched off a widening federal investigation that government officials say has led authorities to one of the most powerful lobbying organizations in the United States, the Cuban-American National Foundation.
>
> "The group, which has raised more than one million dollars for both Republicans and Democrats, has publicly advocated non-violent approaches to foment a change in Cuba and has forged close ties to every President since Ronald Reagan.
>
> "President Clinton met privately with two of the Foundation's leaders at a fund-raiser in Miami last year, shortly after Federal investigators had begun to examine the group's possible role in a plot to kill Mr. Castro.
>
> "The navigational coordinates aboard the boat were set for Margarita Island off Venezuela where Mr. Castro and other Latin American leaders were to meet for a summit meeting in early November.
>
> "One of two .50 caliber Barrett assault rifles seized on board turned out to be registered to Francisco (Pepe) Hernández, President of the Foundation, according to an FBI report. The tan 46-foot cabin cruiser itself, Florida State records show, belonged to a company owned by José Antonio Llama, a member of the Foundation's executive board. The boat set sail from Coral Gables, Fla. from the private dock of another Foundation member whose business partner is the group's treasurer.
>
> "José Antonio Pagan, who represents Mr. Llama, acknowledged that his client owns the company that owns *La Esperanza*.

"The lawyer representing Mr. Alfonso, Ricardo Pesquera, warned in an interview that should the Justice Department try his client, 'we will go after the government very strongly' and 'attack their hypocrisy.' Brandishing a sheaf of declassified CIA documents about government efforts to overthrow the Cuban leader, he complained that 'for thirty years they tried to kill Castro and now they say others can't do the very same thing they were doing.'

"Among the items Customs and Coast Guard officials found aboard *La Espenanza* were seven boxes of ammunition, military fatigues, six portable radios, a satellite telephone, nine vision goggles, night-scopes and the two assault rifles, which sell for about $7,000 a piece and can hit a target more that a mile away.

"Mr. Alfonso, who when arrested on board the ship stated that the weapons were for the purpose of assassinating Fidel Castro, said he had visited the White House on four occasions, 'once with Reagan, once with Bush and twice with Clinton.'

"With pride he produced a photograph of himself alone with Mr. Clinton, as well as other pictures that showed him with Senator Robert G. Torricelli, Democrat of New Jersey, Mr. Mas Canosa and Félix Rodríguez, the CIA agent who captured Che Guevara and later became embroiled in the Iran-Contra affair. The photo with the President was taken a year ago at a White House ceremony for the signing of the Helms-Burton Bill, which expands the American Embargo against Cuba."

What is the Cuban-American National Foundation?

This organization, legally registered (Registration No. 501/C/3) in the United States as a non-profit, philanthropic and educational association involved in research, publishing and educational and humanitarian activities, what is it really?

A bloodstained, terrorist mob whose considerable fortune of very shady origin was amassed through fraud, embezzlement, privilege and Government support. It has provided copious money to and paid for expensive political campaigns. It has elected mayors, House members and even senators and contributed funds to both parties. It has lobbied to promote genocidal legislation against the people of Cuba and it secured the adoption of the Torricelli and Helms-Burton legal aberrations — wrongly called Acts — and many amendments designed to kill our people through starvation and sickness.

Guided by annexationist aims and in the service of a foreign Power, the Foundation has rallied and supported the worst terrorists, graduates of the CIA's sinister academies, whose actions, with those of the CIA, have caused thousands of victims. It has organized and financed attacks and assassination plots against Cuban leaders. It has masterminded and carried out crimes against workers and tourists to destroy the country's economy, collaborating with the United States in its economic war against Cuba.

The Cuban-American National Foundation has caused serious incidents and has consistently supported any number of military intervention and aggression plans conceived against Cuba. It is prepared to deliver even the ashes of our people and our nation to the United States. These are its philanthropic, educational, humanitarian and non-profit aims.

On Friday, 5 March 1999, under the headline "The Foundation Meets Clinton", *El Nuevo Herald* reported:

"Leaders of the Cuban-American National Foundation announced that, on Wednesday, President Clinton had granted them an audience in New Jersey, during a fund-raiser for Senator (D) Robert Torricelli's political campaign.

"In the meeting attended by Torricelli, Foundation President Alberto Hernández, Vice-President Jorge Mas Santos and Remberto Pérez, head of the CANF branch in New Jersey, told President Clinton the goals they deemed essential for ensuring a peaceful transition to democracy in the island.

"'The first thing I told Clinton was that he had made the right decision in not supporting the Bipartisan Commission', said Mas. 'We need the support of the Clinton Administration in drawing near to Cuba's freedom.'"

So I ask myself: is it possible that the CIA, the FBI and the United States authorities do not know where Posada Carriles is and what he is doing right now? Of course, they do. They could easily ask their Salvadoran friends to arrest him and extradite him to the United States, whose laws he has broken repeatedly. But even if they wanted to, they would never dare. They would have to prosecute him and he knows too much.

Meanwhile, what is the situation?

Cuban security forces received a delegation of experts sent by senior United States authorities to whom they offered all the relevant information, some of it highly sensitive: materials, documents, testimonies, evidence. The experts promised to return in two weeks. Eight months and 22 days have passed and the agreed contacts have yet to take place.

Between 13 and 24 August 1998, Ministry of the Interior officials received a delegation from an important, prestigious United States press organ to whom they offered almost all the information available. Delegation members were given access to the detained terrorists and to key witnesses; they investigated whatever they wanted, but nothing useful has been published.

Careful analyses, arguments and considerations of senior Cuban officials were sent to an important, influential United States news organ, yet the whole, transparent and honest truth has not been made known to international public opinion nor even to the United States people.

The United States President met with the heads of the Cuban-American National Foundation only eight days ago in New Jersey at a fund-raiser for Torricelli, as if it were the most beatific institution in the United States. Its countless crimes are simply ignored.

Need I say more?

I have drawn my own conclusions and therefore, comrade members of the court, I confirm the prosecution's preliminary arguments and request the death penalty for the defendant Raúl Ernesto Cruz León.